



General Assembly

February Session, 2016

Raised Bill No. 444

LCO No. 2886



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING PENALTIES FOR FAMILY VIOLENCE CRIMES
THAT A CHILD WITNESSES AND ESTABLISHING A WORKING
GROUP CONCERNING INFORMATION AND COMMUNICATIONS
RELATED TO VICTIMS OF FAMILY VIOLENCE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of
2 this section, "family violence crime" and "family or household
3 member" have the same meanings as provided in section 46b-38a of
4 the general statutes.

5 (b) Whenever any person is convicted of a family violence crime
6 that was committed within the vision or hearing of a minor child who,
7 at the time of the offense, was a family or household member of such
8 person or of the victim of the crime, the court, in lieu of imposing the
9 sentence of imprisonment authorized by the general statutes for the
10 crime of which such person stands convicted, shall sentence such
11 person to a term of imprisonment that is not less than twenty-five per
12 cent greater than the minimum term of imprisonment authorized for
13 such crime or more than twenty-five per cent greater than the

14 maximum term of imprisonment authorized for such crime.

15 Sec. 2. (*Effective from passage*) (a) There is established a working
16 group for the purposes of (1) determining what information, if any, not
17 otherwise available to the public, should be made available to a judge
18 of the Superior Court when making determinations related to
19 applications for relief from abuse pursuant to section 46b-15 of the
20 general statutes, (2) evaluating existing methods allowed by law or
21 policy for sharing information across executive agencies, the Judicial
22 Department, municipalities and community-based organizations that
23 have a contractual relationship with any such agency, department or
24 municipality to provide services to parties involved in cases of family
25 violence, and (3) making recommendations for improved methods of
26 communication across such agencies, department, municipalities and
27 organizations that outline the legal ramifications of such methods as
28 they relate to confidentiality.

29 (b) The working group shall consist of the following members:

30 (1) The Commissioner of Children and Families, or the
31 commissioner's designee;

32 (2) The Commissioner of Emergency Services and Public Protection,
33 or the commissioner's designee;

34 (3) The Commissioner of Education, or the commissioner's designee;

35 (4) The Child Advocate, or the Child Advocate's designee;

36 (5) The Chief Public Defender, or the Chief Public Defender's
37 designee;

38 (6) The Chief State's Attorney, or the Chief State's Attorney's
39 designee;

40 (7) One member appointed by the president pro tempore of the
41 Senate who shall represent the Connecticut Coalition Against

42 Domestic Violence, Inc.;

43 (8) One appointed by the speaker of the House of Representatives
44 who shall be a family violence victim advocate, as defined in section
45 51-27i of the general statutes;

46 (9) One appointed by the majority leader of the Senate who shall
47 represent the Connecticut Police Chiefs Association;

48 (10) One appointed by the majority leader of the House of
49 Representatives who shall be an individual serving as a guardian ad
50 litem or as an attorney for a minor child at the time of appointment to
51 the working group;

52 (11) One appointed by the minority leader of the Senate who shall
53 be an attorney admitted to practice law in this state;

54 (12) One appointed by the minority leader of the House of
55 Representatives who shall be a representative of a legal aid assistance
56 program in this state;

57 (13) Five appointed by the Chief Court Administrator, one of whom
58 shall be a judge of the Superior Court assigned to hear civil matters,
59 one of whom shall be a judge of the Superior Court assigned to hear
60 criminal matters, one of whom shall be a judge of the Superior Court
61 assigned to hear juvenile matters, one of whom shall be an employee
62 of the Judicial Branch whose duties concern the operations of the
63 Superior Court, and one of whom shall be an employee of the Judicial
64 Branch Court Support Services Division; and

65 (14) One member appointed by the Probate Court Administrator
66 who shall be a judge of the Probate Court.

67 (c) All appointments to the working group shall be made not later
68 than thirty days after the effective date of this section. Any vacancy
69 shall be filled by the appointing authority.

70 (d) The speaker of the House of Representatives and the president
71 pro tempore of the Senate shall select two chairpersons of the working
72 group from among the members of such group. Such chairpersons
73 shall schedule the first meeting of the working group, which shall be
74 held not later than sixty days after the effective date of this section.

75 (e) Not later than January 15, 2017, the working group shall submit
76 a report on its finding and recommendations to the Criminal Justice
77 Policy Advisory Commission. The working group shall terminate on
78 the date that it submits such report or January 15, 2017, whichever is
79 later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To increase penalties for individuals who commit acts of family violence in the presence of a minor child and to establish a working group to evaluate and make recommendations for improved methods for sharing information while maintaining appropriate victim confidentiality.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]